

P.O. Box 747
Falls Church, Virginia 22040-0747
Phone: (703) 205-8000
Fax: (703) 205-8050
(703) 698-8590 (GIV)

Birch, Stewart, Kolasch & Birch, LLP

Fax

To:	Examiner David T. FOX	From:	Kristi L. Rupert, Ph.D.
Fax:	703/746-5060	Date:	September 17, 2003 Nov. 25, 2003
Phone:		Pages:	10 (including cover sheet)
Your Ref.:		Our Ref.:	0230-0148P
Re:	09/509,945	CC:	

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution, or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited. If your receipt of this transmission is in error, please notify this firm immediately by collect call to (703) 205-8000, and send the original transmission to us by return mail at the address above.

Comments:

MS AF
 REPLY UNDER 37 C.F.R. § 1.116
 EXPEDITED PROCEDURE
 EXAMINING GROUP 1638

PATENT
 0230-0148P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Kazuyuki HAMADA et al. Conf.: 8943
 Appl. No.: 09/509,945 Group: 1638
 Filed: April 4, 2000 Examiner: David T. FOX 4/25/03
 For: MUTANT BARNASE GENE AND TRANSGENIC
 PLANT TRANSFORMED BY SAID GENE

Official
 copy
 received

DD-F

LARGE ENTITY TRANSMITTAL FORM
FOR REPLY AFTER FINAL UNDER 37 C.F.R. § 1.116

MS AF

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

September 17, 2003

Sir:

Transmitted herewith is a Supplemental Reply in the above-identified application.

The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	28	-	86	=	0	\$ 18	\$0.00
INDEPENDENT	4	-	6	=	0	\$ 84	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$280	\$0.00
						TOTAL	\$0.00

Appl. No. 09/509,945

Petition for () month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.

No fee is required.

Check(s) in the amount of \$0.00 is(are) enclosed.

Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Gerald M. Murphy, Jr. #28,977

JK
GMM/KLR:gm1
0230-0148P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)

(Rev. 04/30/03)

Certificate of Transmission
I hereby Certify that this correspondence is being
facsimile transmitted to the Patent and
Trademark Office.

WACO, TEXAS
9-14-03

Mark Hartman Date

Gail Lafour
Signature
Typed or printed name of person signing certificate

3:01 PM 11/25/03 Transmission Record
Received from remote ID "703 2058050"
Unique ID: "DFO3FC36F82723F"
Elapsed time: 2 minutes, 32 seconds.
Used channel 0.
No ANI data.
AOC: 0, 0, 0
Resulting status code (0/352; 0/0): Success
Pages sent: 1 - 10

MS AF
REPLY UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1638

PATENT
0230-0148P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Kazuyuki HAMADA et al. Conf.: 8943 *official*
Appl. No.: 09/509,945 Group: 1638 *copy*
Filed: April 4, 2000 Examiner: David T. Fox *received*
For: MUTANT BARNASE GENE AND TRANSGENIC
PLANT TRANSFORMED BY SAID GENE *"125/03* *DF*

SUPPLEMENTAL REPLY AFTER FINAL
UNDER 37 C.F.R. § 1.116

MS AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 17, 2003

Sir:

In reply to the Advisory Action dated September 2, 2003, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 6 of this paper.

The amendments presented herein comply with the "Revised Amendment Format" as set forth in the Official Gazette Notice dated

Appl. No. 09/509,945

February 25, 2003. In accordance with the Notice, the provisions of 37 C.F.R. § 1.121(a) - (d) are waived.